

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Berkshire Gas Company

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D.T.E. 06-27

THE ATTORNEY GENERAL'S SUMMONS

Donald W. Scholl, Principal
PUREENERGY Corporate Headquarters
1732 West Genesee Street
Syracuse, NY 13204

YOU ARE HEREBY REQUIRED, in the name of the Commonwealth of Massachusetts, to appear at a hearing before the Commission of the Department of Telecommunications and Energy to be held at One South Station Boston, MA, 02110 on the 23rd day of May 2006 at 12:30 p.m., and from day to day thereafter, until the aforesaid hearing is concluded by said Commission to give evidence of what you know relating to all existing or expired agreements, contracts, confirmations, and the like documents, in your¹ actual or constructive possession, custody, care or control, for the purchase of natural gas by a cogeneration facility in Pittsfield, Massachusetts now (owned or operated by PurEnergy, L.L.C.) for partial or total resale to Berkshire Gas Company pursuant to a Fuel Purchase Agreement dated March 15, 1989 by and between Berkshire Gas Company and Altresco, Inc. and the Amended Fuel Purchase Agreement dated December 11th, 1992, also by and between Berkshire Gas Company and Altresco, Inc. or any other agreements. You are required to bring with you copies of the aforementioned existing or expired agreements, contracts, confirmations, and the like documents, under which the cogeneration facility in Pittsfield purchased natural gas for total or partial resale to Berkshire Gas Company and all existing or expired agreements, contracts, confirmations, and the like documents, for the Domestic or International transportation of such gas to the cogeneration facility in Pittsfield.

HEREOF FAIL NOT, as you will answer your default under the pains and penalties in the law in that behalf made and provided.

¹ The terms "you" and "your" shall refer to PurEnergy, L.L.C., including any predecessors, successors, affiliates, subsidiaries, parent companies or receivers.

Jamie M. Tosches
Assistant Attorney General

Doe Pichard
Notary Public

I hereby certify that on this 12th day of May, 2006, before me, an officer duly authorized in the Commonwealth of Massachusetts to take acknowledgments, personally appeared Jamie M. Tosches who is personally known to me and that she executed this subpoena of signature and her free act and deed.

IN WITNESS WHEREOF, I have here unto my set hand and seal this 12th day of May, 2006.